

Minutes of special meeting of the Board held on 15.09.2015 at 12:00 hours in the office of Cantonment Board Agra.

PRESENT

- | | | | |
|-----|------------------------------------------|---|-------------------|
| 1. | Brig. Vikas Saini, SM, VSM | - | President |
| 2. | Dr. Pankaj Mahinderu, Ward No. IV | | |
| 3. | Brig. Ranjit Ghuliani, SEMO, MH Agra | - | Ex-Officio Member |
| 4. | Major Safal Kumar Jha, GE (East) | - | Ex-Officio Member |
| 5. | Col. Sanjay Kapoor, Adm. Comdt. | - | Nominated Member |
| 6. | Col. Abhaya Prakash, HQ. 50 (I) Para Bde | - | Nominated Member |
| 7. | Smt. Raj Kumari, Ward No. I | - | Elected Member |
| 8. | Dr. Renu Mahinderu, Ward No. II | - | Elected Member |
| 9. | Smt. Vijay Laxmi, Ward No. III | - | Elected Member |
| 10. | Shri Tariq Ahmad, Ward No. V | - | Elected Member |
| 11. | Smt. Seema, Ward No. VI | - | Elected Member |
| 12. | Shri Durgesh Upadhyay, Ward No. VII | - | Elected Member |
| 13. | Shri Dilip Kumar, Ward No. VIII | - | Elected Member |
| 14. | Sonam Yangdol, C.E.O. | - | Member Secretary |

ABSENT

- | | | | |
|----|-------------------------------------------|---|------------------|
| 1. | Lt. Col. G.H. Mustafa, HQ 50 (I) Para Bde | - | Nominated Member |
| 2. | Rep. of DM | - | Nominate Member |

As per provision of section 12(9) of cantonment act 2006

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|----|-------------------------------------------------|---|-----------------|
| 1. | Prof. (Dr.) Rama Shankar Katheria, MP(UMOS HRD) | - | Special invitee |
| 2. | Shri Gutiyari Lal Duvesh , MLA | - | Special invitee |

OATH

At the start of the meeting Brig. Amit Roy, SEMO, MH Agra took the oath of allegiance as Ex-officio Member of the Board as per provisions of Section 17 of Cantonments Act, 2006.

Col. Abhaya Prakash took the oath of allegiance as nominated member of the Board as per provisions of section 17 of Cantonments Act, 2006.

82. BUDGET ESTIMATES-2015-16

To Consider Budget Estimates for the financial year 2015-16 (Revised) and 2016-17 (Original) of Agra Cantonment Board.

RESOLUTION :

82. Presentation of Budget estimate 2015-16 (revised) and 2016-17 (original) was made before the Board. The Board considered and approved the same Board further resolved that a senior lawyer be engaged for recovery of Property Tax (House & Water Tax) against Schools/Colleges in Cantt. area, and Shakti Nagar Colony rent be revised at par with market rent. Security Agency be hired for Cantonment Fund Buildings like Schools, Hospital, Workshop, Cantt. Office.

83. FIXING OF REVISED MRP (MINIMUM RESERVE PRICE) FOR ITS ENSUING CONTRACT VEHICLE ENTRY FEE

To consider and approve fixation of revised MRP (Minimum Reserve Price) to Rs 1,30,000/- per day i.e. Rs 4,74, 50,000/- p.a. for its ensuing one year contract regarding collection of licence fee on entry of commercial vehicles in Agra Cantt.

Cantonment Board vide its C.B.R No. 29 (4) dated 03.08.2015 had approved the highest bid offered by M/s B.S. Construction, Shri Bhupendra Singh Yadav @ Rs 1,72,731/- per day for 60 days contract. Contract was handed over to highest bidder on 27.8.2015 which would end on 24.9.2015. Until now contractor has been depositing the installments regularly and no complaint against him has been received in the office.

Shri Bhupendra Singh Yadav vide letter dated 28.7.2015 had requested the office for extension of vehicle entry fee contract for next one year after the expiry of 60 days period on the same terms & conditions. A copy of the letter dated 28.7.2015 received is placed on the table.

However Shri Bhupendra Singh Yadav had submitted another letter dated 08.09.2015 wherein he has withdrawn the letter dated 28.7.2015 thereby expressing his inability to continue the contract for next one year. Shri Bhupendra Singh Yadav appears to have withdrawn the letter dated 28.7.2015 due to lesser recovery, hence not able to bear the amount of daily installment.

Inability by the contractor to continue the contract for next one year may be attributed to the fact that the said collection points does not have potential to sustain on an MRP of Rs 1,72,731/- per day otherwise contractor would not have withdrawn his letter for extension to one year term. Therefore MRP is recommended to fixed at Rs 1,30,000/- per day like previously done.

It is submitted that 60 days contract could be materialised on fourth attempt after the MRP was revised to Rs 1, 30,000/- per day. As no response was received in previous 3 publications, therefore Board decided to take the GE's opinion and reduced the MRP to Rs 1,30,000/- per day in the light of CBR No. 6 dated 01.05.2015.

In view of the above, since the successful bidder expressed his inability to run the contract on an amount of Rs 1,72,731/- per day therefore it is recommended that on-line e-tenders two bids system may be invited through e-procurement on an MRP of Rs 1,30,000/- per

day afresh for one year. MRP of Rs 1,30,000/- per day would allow healthy competition to take place which would be beneficial for the Board from revenue point of view. Board may take decision in the matter.

All connected documents are placed on the table.

RESOLUTION :

83. Matter discussed at length. After deliberation it was decided that Minimum Reserve Price can not be reduced to Rs. 1.30 lakh as proposed at agenda side. The base price of contract should be kept as Rs. 1,72,731=00 per day. However PCB suggested that contractor asked to continue the contract at least for 1 month till the regular tender proceeding are finalized. In case contractor is unwilling to continue for one month. The Cantonment Board Agra will arrange for in house toll collection during the tendering process. Ex-serviceman Security Guards/Security Agency may be employed to ensure proper accounting and to negate any malpractices.

84. COMPENSATION AGAINST CLOSURE OF ENTRY OF VEHICLES IN CANTONMENT BY THE DISTRICT ADMINISTRATION REGARDING VEHICLE ENTRY FEE CONTRACT

To consider the letter dated 11.9.2015 received from M/s B.S. Construction, Mr. Bhupender Singh, contractor for collection of license fee on entry of commercial vehicles seeking compensation for number of days/hours on which civil administration had declared closure/diversion of commercial vehicles due to local/public holiday on M.G. Road. Contractor has requested for compensation in the light of condition (5) of the contract agreement executed on 25.7.2015 between the Cantonment Board Agra and M/s B.S. Construction, Shri Bhupendra Singh Yadav. The contractor has given a letter stating that the traffic was banned by the District administration for 336 hours (or 14 days) on the days mentioned in the letter. He attached newspaper cutting along with his request application seeking compensation. Accordingly a letter was sent to the District Magistrate Agra for verification by the office on 11.9.2015 bearing letter number 10/Tax/RS/CBA/2015/815. The copy of this letter was also endorsed to the Circle Officer, Sadar Agra.

Reply to the letter from District administration/traffic authorities is awaited. District administration would confirm this office about the number of days/hours on which entry of heavy commercial vehicles remained closed/diverted due to local/national holidays and for other reasons.

Contractor may be allowed compensation as per contract agreement condition number (5) for those many days on which traffic remained closed/diverted subject to confirmation received from the District administration.

Board may take decision in the matter. All connected papers are placed on the table.

RESOLUTION :

84. Considered and resolved that to grant compensation to the contractor subject to the confirmation received from the Distt. Administration about number of days on which entry of commercial vehicles remained close.

85. REPAIR AND BEAUTIFICATION OF BOUNDARY WALL ON MALL ROAD, AGRA CANTT:

Reference CBR No.16 dt.01.05.2015, vide which it was resolved to forward the case related to re-construction/ repair of damaged boundary walls of Bungalow No.18, 33 and 24, all situated on Mall Road, to the Principal Directorate, DE, Central Command, Lucknow for seeking their advice . Accordingly the case was forwarded to the Principal Directorate vide office letter No.53/Misc/B.Wall/Beautify/CE/2015/439 dt.22.07.2015, seeking advice for further course action in the matter of boundary walls of these three bungalows. Principal Directorate, DE, Central Command, Lucknow vide letter No.56982/LC2 dt.30.07.2015 informed that a view may be taken in accordance with section 261 of CA 2006, and rules and regulations and the on going court cases, to ensure that the Govt. interests are protected. Vide office letter dt.25.08.2015, DEO Agra Circle, Agra was requested to inform whether Govt. interests would be infringed in case direction for reconstruction/ repair, under the provisions of Section 261 of The CA 2006, are given to the respective HOR/lessee of the said three bungalows. In response, DEO Agra vide letter No.8649 dt.08.09.2015 has replied by enclosed a copy of his previous letter No.1/A/Misc/Gen./Agra dt.23.01.2015, which has already been considered by the Cantt Board vide its CBR No.16 dt.01.05.2015. In this regard, legal opinion of Sh.Arvind Mishra, Advocate, CBLA, was asked for, who vide legal opinion dt.10.09.2015 has opined as under;

“ In the present situation/case, the HOR/lessee concerned may be served with a notice requiring the HOR, to maintain the boundary walls, hedges or fences of such lands in good order {Section 261 (2) (c)}. Such a notice to the HOR is being contemplated in view of the letter dt.22.01.2015 of District Magistrate Agra, to keep the Mall Road in a presentable stage, since , a large number of foreign dignitaries are passing by the Mall Road. I may also submit that such notice/direction to HOR shall not prejudice the interest of Govt. of India in any manner, since, neither any new right nor any privilege is being created/ conferred on the HOR.”

All connected papers are placed on the table for consideration of the Board.

RESOLUTION :

85. Legal opinion dated 10.09.2015 of the CBLA was read out. Considered and resolved that a notice U/s 261 (2) (c) of the C.A. 2006 be issued to the HORs/Occupiers in respect of the Bungalows situated on Mall Road and CEO to take necessary action. Bungalow HOR/Occupier be asked to repair, maintain, whitewash & beautify the boundary wall within one month period from the date of issue of notice. A copy of notice be also endorsed to Distt. Administration.

86. PURCHASE OF VEHICLE MOUNTED FOGGING MACHINE WITH TATA SUPER ACE MINT

Reference CBR No. 59 dated 3.8.2015.

Quotations for purchase of vehicle mounted, Modl-VF 0160 plus – Jet Engine 165 kw fuel tank were invited in newspaper Amar Ujala dated 27.8.2015. In response to the publication total 3 quotations were received. It may be seen from the comparative statement that lowest rate have been quoted by Modern Equipment & Service, Baroli Ahir Agra @ Rs. 6,10,000/- excluding VAT.

For this fogging Machine a Vehicle for TATA Super ACE MINT – BS IV with Load Body on special Govt. Price @ Rs. 5,26,685= 09 including all charges & taxes may also be required.

Board may approve purchase of one vehicle mounted fogging machine @ Rs. 6,10,000/- and Tata Super ACE MINT – BS IV with load body @ Rs. 5,26,585 .09 i.e., Rs. 12,22,085 for use in Cantt. Board.

All connected paper are placed on table.

RESOLUTION :

86. Considered and approved. Proposal seeking sanction be forwarded to the GOC-in-C, CC, Lucknow.

Following points were also discussed and accordingly resolved-

87. Site for construction of Garbage pit/bin on G.C.Shivhare Road, Sadar be identified and construction expedited.

88. Rental be charged from Electricity Torrent Company for land occupied around electric transformers located on defence land.

89. Action be initiated for removal of encroachment on under mentioned defence land.

(i) Land occupied car/auto repair workshops near Hotel Regency on Station Road.

(ii) Land occupied by tabelas (Animal owners) near Grand Hotel.

90. There should be no hoarding on A-1 Defence land and in specific on Drummond Road in Survey No. 189 (Patch on M G Road between Avati Bai Crossing and Goa Gate).

Sd/-
Member Secretary/CEO
Cantonment Board Agra
(Sonam Yangdol)

Dated 15.09.2015

Sd/-
President,
Cantonment Board Agra
(Brig. Vikas Saini, SM,VSM)